

**United States Bankruptcy Court
Central District of California
Los Angeles
Chief Judge Sheri Bluebond, Presiding
Courtroom 1539 Calendar**

Thursday, July 06, 2017

Hearing Room 1539

10:00 AM

2:17-11256 In Taek Baek and Young Hee Baek

Chapter 7

#1.00 U.S. Trustee's Motion for Extension of Deadline Date for Filing a Complaint
Objecting to Debtors' Discharge under 11 U.S.C. Section 727

Docket 45

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Grant.

Party Information

Debtor(s):

In Taek Baek

Represented By
Jason John Kim

Joint Debtor(s):

Young Hee Baek

Represented By
Jason John Kim

Trustee(s):

Heide Kurtz (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Thursday, July 06, 2017

Hearing Room 1539

10:00 AM

2:17-11641 Laura Alicia Soria

Chapter 7

#2.00 U.S. Trustee's Motion to Dismiss Chapter 7 Case Pursuant to 11 U.S.C. Section 707(b)(1), (b)(2) and (3)(B) and Contingent Motion to Extend Bar Date for Filing Complaint under 11 U.S.C. Section 727 Objecting to Debtor's Discharge

fr. 6-1-17

Docket 13

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative Ruling for June 1, 2017:

Court has not seen the draft tax return referenced in the debtor's opposition. Nevertheless, the US Trustee has requested that this matter be continued to July 6, 2017 at 10:00 a.m., that the court set a briefing schedule and that the debtor submit to an examination and production of documents.

Hearing required to discuss scheduling issues.

Final Ruling for June 1, 2017:

Continue hearing to July 6, 2017 at 10:00 a.m. UST should file and serve anything that he would like the court to consider at the July 6 hearing not later than June 29, 2017. If UST would like additional time, he should file a request to that effect by June 30.

Tentative Ruling for July 7, 2017:

As court has previously stated, if the debtor claims that she lives in a two-person household with her mother, she must disclose her mother's income and file an amended means test form. Debtor has not done so.

Based on the updated/corrected information and calculations provided by the

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CONT... **Laura Alicia Soria** **Chapter 7**
trustee, grant motion and dismiss case unless debtor would prefer to convert
to chapter 13.

Party Information

Debtor(s):

Laura Alicia Soria

Represented By
David Lozano

Trustee(s):

Howard M Ehrenberg (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Thursday, July 06, 2017

Hearing Room 1539

10:00 AM

2:15-24399 Gerson Irving Fox

Chapter 7

#3.00 Motion to Compel Chapter 7 trustee to abandon property or in the alternative,
Enforce Terms of Stipulation Regarding Abandonment

fr. 4-25-17, 5-9-17, 6-27-17

Docket 288

***** VACATED *** REASON: CONT'D. TO 7/11/17 @ 2PM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

4/13/17 -- Court approved stipulation continuing hearing to May 9, 2017 at
2:00 p.m. OFF CALENDAR FOR APRIL 25, 2017.

5/3/17 -- Court approved stipulation continuing hearing to June 27, 2017 at
2:00 p.m. OFF CALENDAR FOR MAY 9, 2017.

Tentative Ruling for June 27, 2017:

Court agrees with trustee that court cannot authorize an abandonment if nothing exists. Witness does not need to agree to cooperate. He can be served with a subpoena and, if he fails to provide testimony, he will be held in contempt and sanctioned and/or incarcerated unless and until he cooperates. What the witness apparently wants is a representation that he will not be sued for anything or a release. Debtor can provide a declaration to the trustee explaining that he is not aware of any facts that would give rise to a claim against him. Trustee can provide a letter that states that, based on information provided by the debtor to date, the trustee is not aware of any claims, but the Court will not require the trustee to release or abandon any claims of which he is presently unaware.

6/26/17 -- Court approved stipulation continuing hearing to July 6, 2017 at
10:00 a.m. OFF CALENDAR FOR JUNE 27, 2017. NO APPEARANCE
REQUIRED.

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CONT... Gerson Irving Fox

Chapter 7

6/30/17 -- Court granted motion seeking continuance of hearing to July 11, 2017 at 2:00 p.m. OFF CALENDAR FOR JULY 6, 2017. NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

Gerson Irving Fox

Represented By
David B Golubchik
Michael D Dempsey

Movant(s):

Ultimate Action, LLC

Represented By
Johnny White
Simon Aron

Trustee(s):

Elissa Miller (TR)

Represented By
Leonard M Shulman
Ryan D ODea

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2:15-24399 Gerson Irving Fox

Chapter 7

Adv#: 2:16-01235 Miller in her Capacity as Chapter 7 Trustee v. Fox

#4.00 Motion for Leave to File First Amended Complaint

fr. 5-9-17, 6-27-17

Docket 53

***** VACATED *** REASON: CONT'D. TO 7/11/17 @ 2PM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

4/20/17 -- Court approved stipulation continuing hearing to May 9, 2017 at 2:00 p.m. to be heard concurrently with motion to compel abandonment of property. OFF CALENDAR FOR APRIL 25, 2017.

5/3/17 -- Court approved stipulation continuing hearing to June 27, 2017 at 2:00 p.m. OFF CALENDAR FOR MAY 9, 2017.

Tentative Ruling for June 27, 2017:

Trustee seeks leave to file an amended complaint that will withdraw certain of her claims. There is no conceivable theory under which the defendant would be prejudiced by this action. In fact, it would narrow the scope of the litigation and be tantamount to a partial dismissal of these claims. Grant motion.

It is not appropriate for the defendant to refuse to consent to the amendment because the trustee won't simply agree to dismiss the action in its entirety. Defendant is not acting in good faith in refusing to give this consent and has caused the trustee to incur the expense of bringing a motion that should have been unnecessary.

6/26/17 -- Court approved stipulation continuing hearing to July 6, 2017 at 10:00 a.m. OFF CALENDAR FOR JUNE 27, 2017. NO APPEARANCE REQUIRED.

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CONT... Gerson Irving Fox

Chapter 7

6/30/17 -- Court continued hearing to July 11, 2017 at 2:00 p.m. so that it may be heard concurrently with related matters. OFF CALENDAR FOR JULY 6, 2017. NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

Gerson Irving Fox

Represented By
David B Golubchik
Michael D Dempsey

Defendant(s):

Gerson Irving Fox

Represented By
Irving M Gross

Movant(s):

Elissa Miller in her Capacity as

Represented By
Ryan D ODea
Samuel J Romero

Plaintiff(s):

Elissa Miller in her Capacity as

Represented By
Ryan D ODea
Samuel J Romero

Trustee(s):

Elissa Miller (TR)

Represented By
Leonard M Shulman
Ryan D ODea

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2:15-24399 Gerson Irving Fox

Chapter 7

Adv#: 2:16-01235 Miller in her Capacity as Chapter 7 Trustee v. Fox

#5.00 Status Conference re: 41 (Objection / revocation of discharge - 727(c),(d),(e)))
Complaint by Elissa Miller in her Capacity as Chapter 7 Trustee against Gerson
Irving Fox

fr. 7-19-16, 10-4-16, 1-24-17, 4-25-17, 5-9-17, 6-27-17

Docket 1

***** VACATED *** REASON: CONT'D. TO 7/11/17 @ 2PM**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

7/6/16 -- Court approved stipulation continuing status conference to August 2, 2016 at 2:00 p.m. OFF CALENDAR FOR JULY 19, 2016.

7/19/16 -- Court approved stipulation continuing status conference to October 4, 2016 at 2:00 p.m. OFF CALENDAR FOR AUGUST 2, 2016.

Tentative Ruling for October 4, 2016:

Set discovery cutoff for early March, 2017 and continue status conference for approximately 30 days. What is the status of the parties' discovery efforts to date? Has any discovery been accomplished? Hearing required.

10/13/16 -- Court approved scheduling order setting following dates:

Cont'd status conference -- January 24, 2017 at 2:00 p.m.

L/D to file joint status report -- January 10, 2017

L/D to complete discovery -- March 31, 2017

Tentative Ruling for January 24, 2017:

Has defendant now provided responses to discovery requests? If not, why

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CONT... Gerson Irving Fox

Chapter 7

not? Why don't parties want this matter sent to mediation? Hearing required.

4/20/17 -- Continue status conference to be heard concurrently with motion for leave to file amended complaint and motion to abandon property on May 9, 2017 at 2:00 p.m. OFF CALENDAR FOR APRIL 25, 2017. NO APPEARANCE REQUIRED.

5/3/17 -- Court approved stipulation continuing hearing to June 27, 2017 at 2:00 p.m. OFF CALENDAR FOR MAY 9, 2017.

Tentative Ruling for June 27, 2017:

According to joint status report, plaintiff plans to file summary judgment motion. Set deadline for filing of motion and continue status conference to date that can serve as date of hearing on motion for summary judgment.

6/26/17 -- Court approved stipulation continuing hearing to July 6, 2017 at 10:00 a.m. OFF CALENDAR FOR JUNE 27, 2017. NO APPEARANCE REQUIRED.

6/30/17 -- Court continued hearing to July 11, 2017 at 2:00 p.m. so that it may be heard concurrently with related matters. OFF CALENDAR FOR JULY 6, 2017. NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

Gerson Irving Fox

Represented By
David B Golubchik
Michael D Dempsey

Defendant(s):

Gerson Irving Fox

Represented By
Irving M Gross

Plaintiff(s):

Elissa Miller in her Capacity as

Represented By
Ryan D ODea

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CONT... Gerson Irving Fox

Samuel J Romero

Chapter 7

Trustee(s):

Elissa Miller (TR)

Represented By
Leonard M Shulman
Ryan D ODea

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2:12-19793 Michael Joel Kamen

Chapter 7

Adv#: 2:12-01805 Fox et al v. Kamen

#6.00 Status Conference re: 62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)) ,(67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)),(68 (Dischargeability - 523(a)(6), willful and malicious injury)) Complaint by Gerson and Gertrude Fox against Michael Joel Kamen

fr. 8-21-12, 8-28-12, 1-31-13, 3-28-13, 5-28-13, 11-5-13, 5-27-14, 12-2-14, 5-5-15, 11-3-15, 2-2-16, 5-24-16, 8-30-16, 10-18-16, 2-7-17, 4-25-17, 5-9-17, 6-27-17

Docket 1

***** VACATED *** REASON: CONT'D. TO 7/11/17 @ 2PM**

Courtroom Deputy:

4/4/16 - Second Amended Complaint filed

6/27/17 - Han Pai, (213-622-9108, has been approved for telephonic appearance on 7/6/17 @ 10am

Tentative Ruling:

11/27/12 -- Court approved stipulation continuing hearing to March 28, 2013 at 10:00 a.m. OFF CALENDAR FOR JANUARY 31, 2013.

2/1/13 -- Court approved stipulation continuing hearing to May 28, 2013 at 2:00 p.m. OFF CALENDAR FOR MARCH 28, 2013.

3/11/13 -- Court approved stipulation continuing hearing to November 5, 2013 at 2:00 p.m. OFF CALENDAR FOR MAY 28, 2013.

OFF CALENDAR. COURT SIGNED STIPULATION CONTINUING HEARING TO MAY 27, 2014 AT 2:00 P.M.

10/6/14 -- Court signed stipulation setting following dates:

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CONT... Michael Joel Kamen

Chapter 7

L/D to file amended complaint -- March 31, 2015
L/D to respond to amended complaint -- April 30, 2015
Cont'd status conference -- May 5, 2015 at 2:00 p.m.
L/D to object to debtor's discharge -- March 31, 2015.

4/6/15 -- Court signed stipulation setting following dates:

L/D to file amended complaint -- September 30, 2015
L/D to respond to amended complaint -- October 30, 2015
Cont'd status conference -- November 3, 2015 at 2:00 p.m.
L/D to object to debtor's discharge -- September 30, 2015

OFF CALENDAR FOR MAY 5, 2015.

Tentative Ruling for February 2, 2016:

Revisit status of action after conclusion of hearing on motion for extension of time to file amended complaint.

Tentative Ruling for May 24, 2016:

Order parties to complete a day of mediation prior to date of continued status conference. Continue status conference approximately 90 days.

6/3/16 -- Court signed scheduling order setting following dates:

Cont'd status conference -- August 30, 2016 at 2:00 p.m.
L/D to file joint status report -- August 16, 2016
L/D to lodge order appointing mediator -- June 20, 2016
L/D to complete mediation -- August 30, 2016.

8/5/16 -- Court approved order appointing mediator.

Tentative Ruling for August 30, 2016:

Where is the status report that should have been filed by August 16, 2016?
Have the parties completed a day of mediation? Hearing required.

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CONT... Michael Joel Kamen

Chapter 7

9/23/16 -- Court approved scheduling order setting following dates:

Cont'd status conference -- October 18, 2016 at 2:00

L/D to file joint status report -- October 4, 2016

L/D to complete mediation extended to October 18, 2016

Tentative Ruling for October 18, 2016:

Parties have now completed mediation, which apparently was not successful.
Have parties commenced discovery? Hearing required.

Final Ruling for October 18, 2016:

Continue hearing to February 7, 2017 at 2:00 p.m. Parties shall file joint
status report not later than January 24, 2017.

Tentative Ruling for February 7, 2017:

Both parties report that there are motions that they intend to file. Set deadline
(s) for the filing of these motions and continue status conference to date that
can be used for these hearings.

Tentative Ruling for April 25, 2017:

Joint status report due April 11 was filed on April 19, 2017. Court is confused
by the discussion of Mel Kaftan in the status report. Are there possible
criminal charges that might be filed against him? If not, even if he might have
received preferential transfers, he has no right to refuse to testify if
subpoenaed and cannot require the trustee to dismiss claims against him as
a condition to his cooperation. What is the court missing?

Hearing required.

5/3/17 -- Court approved stipulation continuing hearing to June 27, 2017 at
2:00 p.m. OFF CALENDAR FOR MAY 9, 2017.

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Chapter 7

Tentative Ruling for June 27, 2017:

Where is the joint status report that should have been filed two weeks before the status conference? Hearing required.

6/26/17 -- Court approved stipulation continuing hearing to July 6, 2017 at 10:00 a.m. OFF CALENDAR FOR JUNE 27, 2017.

6/30/17 -- Court continued hearing to July 11, 2017 at 2:00 p.m. so that it may be heard concurrently with related matters. OFF CALENDAR FOR JULY 6, 2017. NO APPEARANCE REQUIRED.

Party Information

Debtor(s):

Michael Joel Kamen

Represented By
Leslie A Cohen
Neal Salisian
Richard H Lee

Defendant(s):

Michael Joel Kamen

Represented By
Richard H Lee

Plaintiff(s):

Larchmere Partners, LLC

Represented By
Andy Kong
James KT Hunter

Garson Victory, LLC

Represented By
Andy Kong
James KT Hunter

501 Grant Street Partners, LLC

Represented By
Andy Kong
James KT Hunter

South City Wichita Partners, LLC

Represented By
Andy Kong
James KT Hunter

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CONT... Michael Joel Kamen

Chapter 7

Elissa D. Miller

Represented By
Ryan D ODea

Commerce Drive, LP

Represented By
Andy Kong
James KT Hunter

Soledad Commons, LLC

Represented By
Andy Kong
James KT Hunter

111 Sunset, LP

Represented By
Andy Kong
James KT Hunter

Gerson & Gertrude Fox Family

Represented By
Andy Kong
James KT Hunter

Gertrude Fox

Represented By
Andy Kong
James KT Hunter
Benjamin Nachimson

Gerson Fox

Represented By
Andy Kong
James KT Hunter
Benjamin Nachimson

1530 West Covina Parkway, LLC

Represented By
Andy Kong
James KT Hunter

Center City Tower, LP

Represented By
Andy Kong
James KT Hunter

201 North Brand, LLC

Represented By
Andy Kong
James KT Hunter

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CONT... **Michael Joel Kamen**
357 South Broadway, LLC

Chapter 7

Represented By
Andy Kong
James KT Hunter

Trustee(s):

Richard J Laski (TR)

Represented By
Jonathan M Weiss
Sasha M Gurvitz